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REMARKS

DEC 07 2006

Reconsideration is respectfully requested in view of any changes to the claims and the remarks herein. Please contact the undersigned to conduct a telephone interview in accordance with MPEP 713.01 to resolve any remaining requirements and/or issues prior to sending another Office Action. Relevant portions of MPEP 713.01 are included on the signature page of this amendment.

Claims 40, 51 and 52 have been rejected under 35 USC 112 second paragraph. The claim of dependency of claims 50, 51 and 52 has been corrected, in view of this withdraw of this rejection is respectfully requested.

Claims 21-26, 29-36, 39, 41-49, 51-56 and 57-60 have been rejected under 35 U.S.C. 102(e) as being anticipated by Nickel et al. The claim of priority has been amended to claim priority to U.S. Application Serial No.: 09/708,253 filed on November 11, 2000, now issued as U.S. Patent No.: 6,385,082 B1 which is incorporated by reference in the paragraph bridging pages 7 and 8 of the specification. In view thereof Nickel et al . is not a reference against the present application.

Claims 21-23, 27-28, 30-32 and 37-38 have been rejected as anticipated by Sun et al (U.S. Patent No.: 4,649,519). Applicants respectfully disagree, Sun teaches at Col. 3, lines 55-56 that "the present invention utilizes the heat of a laser to switch the bias field;" at Col. 2, lines 53-55 "To record data in the storage medium, a portion of the first layer corresponding to a magnetic device is heated from ambient temperature by a laser to a temperature above it's cure temperature." And at Col. 8, lines 3-14, "A detailed block diagram of the storage medium of FIG. 3 is indicated generally at 120 of FIG. 11. A laser 122 or similar source of heat emits radiation towards a first protective layer 124 such as SiO₂." Applicants claims 21-23, 27-28, 30-32 and 37-38 teach "heating said elements is provided by passing an electrical current therethrough" and thus cannot be anticipated by Sun. Withdrawal of this rejection is respectfully requested.

Claim 26 has not been rejected over Sun et al. Claim 25 depends from claim 21. Claim 21 has been amended to include the limitations of claim 25. Thus claim 21 and claims which depend therefrom should be allowable over Sun et al.

Claim 34 has not been rejected over Sun et al. Claim 34 depends from claim 29. Claim 29 has been amended to include the limitations of claim 25. Thus claim 29 and claims which depend therefrom should be allowable over Sun et al. Claim 30 has been amended to include the limitation of claim 34 and thus claim 30 and the claims which depend therefrom should be allowable over Sun et al.

Please charge any fee necessary to enter this paper and any previous paper to deposit account 09-0468.

If the above-identified Examiner's Action is a final Action, and if the above-identified application will be abandoned without further action by applicants, applicants file a Notice of Appeal to the Board of Appeals and Interferences appealing the final rejection of the claims in the above-identified Examiner's Action. Please charge deposit account 09-0468 any fee necessary to enter such Notice of Appeal.

In the event that this amendment does not result in allowance of all such claims, the undersigned attorney respectfully requests a telephone interview at the Examiner's earliest convenience.

MPEP 713.01 states in part as follows:

Where the response to a first complete action includes a request for an interview or a telephone consultation to be initiated by the examiner, ... the examiner, as soon as he or she has considered the effect of the response, should grant such request if it appears that the interview or consultation would result in expediting the case to a final action.

Respectfully submitted,

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